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Paper ³¹~~40~~
Filed: December 5, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Crucell Holland B.V.,
Junior Party
(Application 10/136,145,
Inventor: Gosse Jan **Adema**),

v.

United States Of America As Represented By
The Secretary Of The Department Of Health And Human Services,
Senior Party
(Patent 5,844,075
Inventors: Yutaka **Kawakami** and Steven A. Rosenberg).

Patent Interference 105,588 (RES)
Technology Center 1600

Judgment - Request for Adverse

1 PTO records show that Crucell has assigned Applicaton 10/136,145 to
2 the Department of Health and Human Services (DHHS). Thus, DHHS is
3 now the record owner of that application.

4 DHHS has filed a paper titled REQUEST FOR ADVERSE JUDGMENT
5 (Paper 36). DHHS "requests entry of adverse judgment against U.S. Patent
6 Application No. 10/136,145 with respect to the subject matter of Count
7 1" Paper 36, p. 2.

1 Accordingly, it is
2 **ORDERED** that claims 1, 2 and 7 of Application 10/136,145
3 (corresponding to Count 1) are finally refused (35 U.S.C. 135(a));
4 **FURTHER ORDERED** that a copy of this judgment be made of
5 record in the files of Patent 5,844,075 and Application 10/136,145; and
6 **FURTHER ORDERED** that if there is any settlement agreement or
7 related documents which have not been filed, attention is directed to
8 35 U.S.C. § 135(c) and 37 CFR § 41.205.

/Richard E. Schafer/)
 RICHARD E. SCHAFER)
 Administrative Patent Judge)
)
 /Jameson Lee/)
 JAMESON LEE)
 Administrative Patent Judge)
)
 /Richard Torczon/)
 RICHARD TORCZON)
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BOARD OF PATENT
APPEALS AND
INTERFERENCES

cc (via electronic filing):

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